

CHAPTER 809. CHILD CARE AND DEVELOPMENT
SUBCHAPTER A. GENERAL PROVISIONS

ON APRIL 15, 2003, THE TEXAS WORKFORCE COMMISSION PROPOSED THE BELOW RULE WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS REGISTER*.

Estimated Publication Date of the Proposal in the *Texas Register*: May 2, 2003.
Estimated End of Comment Period: June 2, 2003

PROPOSED RULE WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS REGISTER*. THIS DOCUMENT WILL NOT HAVE ANY SUBSTANTIVE CHANGES BUT IS SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE *TEXAS REGISTER*.

The Texas Workforce Commission (Commission) proposes new §809.5 Stay for Children of Military Parents in Combat Deployment.

The proposed new §809.5 provides for the continuity of child care services for affected children and alleviates any potential hardship on military parents deployed to combat conditions. Military personnel in combat deployment receive supplemental combat pay. The supplemental pay, if included in the income eligibility calculation, could make the deployed parent ineligible for child care services.

The proposed rule states that no children of military parents in combat deployment will suffer a disruption of child care services or eligibility due to combat deployment. It also freezes the parents' share of cost for those parents and authorizes the boards to take appropriate action to ensure that there is no disruption of care to the children of military parents in combat deployment.

The section adds a definition of "combat deployment" as the deployment to military combat away from the home base of the single military parent or the dual military parents of an eligible child enrolled in TWC subsidized child care. The definition includes parents in the regular military, the reserves, or national guard.

Randy Townsend, Chief Financial Officer, has determined that for each year of the first five years the rule will be in effect, the following statements will apply:

There are no additional estimated costs to the state and to local governments expected as a result of enforcing or administering the rule;

There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule;

There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule;

There are no foreseeable implications relating to costs or revenue of the state or local governments as a result of enforcing or administering the rule; and

There are no anticipated economic costs to persons required to comply with the rule.

Mr. Townsend has also determined that there is no anticipated adverse impact on small businesses as a result of enforcing or administering the rule because small businesses are not regulated or required to do anything by the rule.

James Barnes, Director of Labor Market Information, has determined that there is no significant negative impact upon employment conditions in this state as a result of the proposed rule.

Donna Garrett, Director of Child Care Services, has determined that for each year of the first five years the rule is in effect, the public benefit anticipated as a result of enforcing the rule will be to provide for continuity of child care services for children of military parents in combat deployment.

For information about services for employers and job seekers go to www.texasworkforce.org or contact your local workforce development board.

Comments on the proposal may be submitted to John Moore, General Counsel, Texas Workforce Commission, 101 East 15th Street, Room 614, Austin, Texas 78778, (512) 463-3041. Comments may also be submitted via fax to (512) 463-1426 or e-mailed to: John.Moore@twc.state.tx.us. Comments must be received by the Agency within thirty days from the date of the publication in the *Texas Register*.

The amendments are proposed under Texas Labor Code §301.061 and §302.002, which provide the Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of Agency services and activities.

The amendments affect Texas Labor Code, Title 4, Texas Human Resources Code Chapter 44, as well as Texas Government Code Chapter 2308.

§809.5 Children of Military Parents in Combat Deployment.

- (a) For purposes of this section “combat deployment” means the deployment to military combat away from the home base of the single military parent or the dual military parents of an eligible child enrolled in TWC subsidized child care. This includes deployed parents in the regular military, military reserves, or national guard.
- (b) A board shall ensure that no children of military parents in combat deployment have a disruption of child care services or eligibility due to the combat deployment.
- (c) Board actions may include but are not limited to:
 - (1) disregard increased income related to the combat deployment;
 - (2) freezing the parents’ share of cost during the combat deployment; and
 - (3) other actions approved by the Board necessary to implement this section.

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